

SEP 22 2006

KOESTNER BERTANI LLP
Intellectual Property Attorneys

18662 MacArthur Blvd.
Suite 400
Irvine, California 92612

949.251.0250
fax 949.251.0260

Docket No.: 1016.P001 US

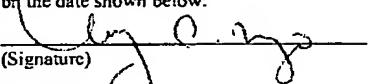
September 22, 2006

MAIL STOP PETITION
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Inventor(s): David A. Holly
 Title: APPARATUS AND METHOD FOR WARPING A LOOM
 Appln No.: 10/665,694
 Filing Date: September 18, 2003
 Docket No. 1016.P001 US
 Examiner: Sutton, Andrew W.
 Art Unit: 3765
 Confirmation No.: 6234

Enclosed herewith for filing is as follows:

1. Transmittal Letter (in duplicate)
2. Petition to Withdraw Holding of Abandonment Based on Failure to Receive Notice of Allowance (9 pages)
3. Credit Card Payment Form in the amount of \$1000.00

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Central Number at (571) 273-8300 on the date shown below:	
	
(Signature)	
Joy C. Ngo	
(Printed Name of Person Signing Certificate)	
September 22, 2006	
(Date)	

Respectfully submitted,


 Mary Jo Bertani
 Attorney for Applicant(s)
 Reg. No. 42,321

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Respectfully submitted,


 Mary Jo Bertani
 Attorney for Applicant(s)
 Reg. No. 42,321

SEP 22 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	David A. Holly		
Title:	Apparatus and Method for Warping a Loom		
Serial No.:	10/665,694	Filing Date:	September 18, 2003
Examiner:	Sutton, Andrew W.	Group Art Unit:	3765
Docket No.:	1016.P001 US	Confirmation No.:	6234

Irvine, California
 September 22, 2006

MAIL STOP PETITION
 Commissioner For Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE NOTICE OF ALLOWANCE

Dear Sir:

This paper is being filed in response to a routine status check on July 31, 2006 regarding the above-mentioned application during which Applicant's attorney noted that a Notice of Allowance issued by the Office on April 21, 2006 had not been received by Applicant's attorney. The application went abandoned because Applicant did not receive and therefore did not respond to the Notice of Allowance.

Applicant hereby petitions for a withdrawal of the holding of abandonment of this application under 37 CFR 1.181(a). (See Manual of Patent Examining Procedure (MPEP) Section 711.03(c)(I)(A)).

In all applications handled by Applicant's attorney's firm, Office Actions and Notices received from the Patent Office that require a response are entered on the front of the application's file as well as in a computerized docketing system called "IPMASTER" that is commercially available through Thomson-West, Inc. The Office Actions/Notices are placed in the file, and the file is given to the responsible attorney. Applicant's attorney notes the due

date for response on her personal calendar in Microsoft's Outlook software program. Applicant's attorney has searched the file jacket, her office, her calendar, the docketing system, and her assistant's office and did not find a copy of the Notice or any other evidence that the Notice had been received.

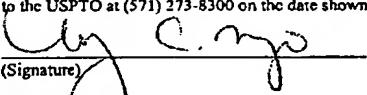
Enclosed herewith are copies of the front of the file for the above-referenced application showing the dates of all Office Actions and Notices received from and responses sent to the U.S. Patent Office. Copies of the records from Applicant's attorney's calendar and docketing system are further enclosed herewith.

A copy of the payment of the Issue Fee is also enclosed herewith.

Withdrawal of the holding of abandonment and entry of the payment of the issue fee is respectfully requested.

No petition fee is believed to be required under 37 CFR 1.181 because this petition is being filed within 3 months of July 21, 2006, which is the final date by which the Issue Fee was to be paid.

I hereby certify that this correspondence is being facsimile transmitted to the USPTO at (571) 273-8300 on the date shown below:


(Signature)

Joy C. Nigo
(Printed Name of Person Signing Certificate)

September 22, 2006
(Date)

Respectfully submitted,


Mary Jo Bertani
Attorney for Applicant(s)
Reg. No. 42,312

KOESTNER BERTANI LLP
18662 MACARTHUR BLVD.
SUITE 400
IRVINE, CA 92612
TEL (949) 251-0260
FAX (949) 251-0260

June 2006

July 2006

August 2006

August 2006							September 2006						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	27	28	29	30	31	22	23
27	28	29	30	31			24	25	26	27	28	29	30
Monday							Tuesday						
Wednesday							Thursday						
Friday							Saturday						
Sunday							Sunday						
August 1							August 2						
August 3							August 4						
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August 19							August 20						
August 21							August 22						
August 23							August 24						
August 25							August 26						
August 27							August 28						
August 29							August 30						
August 31							September 1						

Friday, August 18, 2006

PATENT CASE HISTORY FOR Docket Number

1016.P001 US	Regular	Original Filing	National
<i>ApplicationNumber</i>	101665594	<i>CountryName</i>	United States
<i>ApplicationDate</i>	9/18/2003	<i>ClientName</i>	
<i>PatentNumber</i>		<i>AttorneyName</i>	Mary Jo Bertani
<i>GrantDate</i>		<i>CurrentOwnerName</i>	
<i>Title</i>	Apparatus and Method for Warping a Loom	<i>InventorName</i>	
			Assignment Date
			David A. Holly
<i>ActionDueDate</i>	<i>ActionDescription</i>	<i>CompletedDate</i>	<i>TakenDate</i>
1/13/2006	Response 1st OA - final deadline	10/12/2005	
3/18/2005	Published	3/15/2005	
9/18/2004	Foreign filing deadline	10/1/2004	
3/18/2004	Foreign filing - 6 month remitt	10/1/2004	
6/18/2004	Foreign filing - 9 month remitt	10/1/2004	
8/18/2004	Foreign filing - 11 month remitt	10/1/2004	
1/18/2005	Redacted Publication Deadline	10/1/2004	
	No Foreign Filing	10/1/2004	
	1st Office Action Mailing Date	7/13/2005	
10/13/2005	Response to 1st office action	10/12/2005	

*Patent Case History Report**Page 1 of 2**MDC IPMaster*

*Friday, August 18, 2006***PATENT CASE HISTORY FOR Docket Number**

12/18/2003	Info Discl. Statement	9/18/2003
12/13/2005	Reponse first OA - second exte	10/12/2005
6/30/2006	Notice of Appeal Due	2/23/2006
	Final Rejection	12/30/2005
2/28/2006	Response to provoke advisory a	2/23/2006
3/30/2006	Final rejection due	2/23/2006
4/30/2006	Final rejection - 1st extensio	2/23/2006
5/30/2006	Final rejection - 2nd extensio	2/23/2006
6/30/2006	Final rejection deadline	2/23/2006
3/30/2006	Appeal due	2/23/2006
4/30/2006	Appeal due - 1st extention	2/23/2006
5/30/2006	Appeal due - 2nd extension	2/23/2006
11/13/2005	Response first OA - 1st extens	10/12/2005

Docket No.: 1016.P001 US

KOESTNER BERTANI LLP
U.S. PATENT APPLICATION

Inventor(s): David A. Holly				
Title: APPARATUS AND METHOD FOR WARPING A LOOM				
Serial No.: 10/665,694	Filed: September 18, 2003			
Client: David A. Holly	Client Ref. No.: HOLLY.P001 US			
Assignee: n/a	Assignee State of Incorporation: n/a			
Entity Status: <input type="checkbox"/> Large <input checked="" type="checkbox"/> Small	Date of Change:			
Assignment Received:	Recorded:	Rcel/Frame:	Forwarded to Client:	
Bucket Accompanies File: <input type="checkbox"/> Yes				
Related: U.S. Cases	Serial No.:	Filed:	Docket No.:	
	Serial No.:	Filed:	Docket No.:	
	Serial No.:	Filed:	Docket No.:	
OFFICE ACTIONS		Response Mailed		
PTO Mail Date	Due Date	LTC	PTO	LTC
7/13/2005	10/13/2005	7/20/2005	10/12/2005	10/15/2005
12/30/2005	2/28/2006	1/3/2006	2/23/2006	3/2/2006
Abandoned:				
Notice of Allowance Date:		Issue Fee Paid:		
Patent No.:		Issue Date:		
Foreign Applications Filed In:				
Docket No.: 1016.P001 US				

Client: DAVID A. HOLLY

First Inventor: Holly, David A.

Docket No.: 1016.P001 US